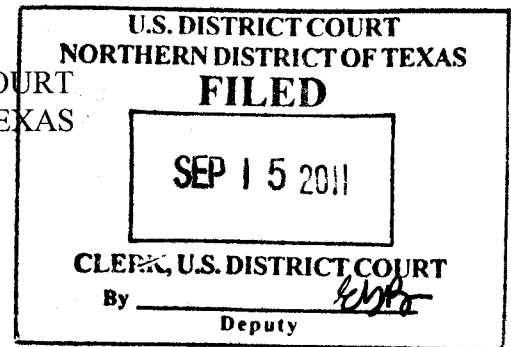


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



DANIEL MARTINEZ,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner,  
Social Security Administration,

Defendant.

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2:10-CV-0102

**ORDER ADOPTING REPORT AND RECOMMENDATION,**  
**REVERSING THE DECISION OF THE COMMISSIONER,**  
**and REMANDING FOR FURTHER ADMINISTRATIVE ACTION**

Came for consideration plaintiff's appeal of the decision of the Commissioner of the Social Security Administration denying plaintiff disability benefits. On September 9, 2011, the United States Magistrate Judge entered a Report and Recommendation, recommending therein that the decision of the Commissioner be reversed and the case remanded to the Commissioner for further administrative action. On September 14, 2011, defendant gave notice that he does not object to the decision made in the Report and Recommendation. No objections to the Report and Recommendation have been filed of record.

The undersigned United States District Judge has made an independent examination of the record in this case. The Report and Recommendation of the United States Magistrate Judge is hereby ADOPTED. Accordingly, the Commissioner's administrative decision finding plaintiff not disabled is REVERSED, and the decision is REMANDED to the Commissioner for further

administrative proceedings consistent with the Report and Recommendation of the Magistrate Judge, including but not limited to all action specified and recommended to be taken on remand.

IT IS SO ORDERED.

ENTERED this 15<sup>th</sup> day of September 2011.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE